



Agricultural Land Commission
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www.alc.gov.bc.ca

February 7, 2013

ALC File: #52954

Tony van den Tillaart
4863 Schubert Road
Armstrong, BC V0E 1B4

Re: Non-Farm Use Application

Please find attached the Minutes of Resolution #27/2013 as it relates to the above noted application.

Further correspondence with respect to this application is to be directed to Ron Wallace.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'B. Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #27/2013

cc: Township of Spallumcheen (12-0311-SPL-ALR)



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on January 22, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52954.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner

COMMISSION STAFF PRESENT:

Martin Collins	Regional Planner
Ron Wallace	Land Use Planner
Colin Fry	Executive Director

PROPOSAL: (Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

To construct a grain storage building in proximity to the existing agricultural structures located on the west side of Schubert Road. At present, agricultural production on the subject property produces less than 50% of the granary product and therefore ALC approval is required for the structure. The proposal also includes a request to allow the continued use of a one-room suite within an accessory building as a secondary dwelling. The suite is to be used for farm help.

PROPERTY INFORMATION:

Owner: Aartista Land's Inc. (Inc. No. 0438116)

Legal: PID: 027-454-177
Lot 1, Section 19, Township 35 and of Section 24, Township 34, Kamloops
(Formerly Osoyoos) Division Yale District, Plan KAP86286

Location: 4863 Schubert Road, Armstrong, BC

Size: 77.4 ha (61.7 ha within the ALR)

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
 - (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.
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COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. The subject property is used for agricultural purposes and is part of a larger organic grain farm operation (Aartista Land's Inc.) which owns/rents over 160 ha of local farm land. In a previous application made in 2005, the Commission approved an existing grain cleaning facility and barn for storage of locally grown grains (less than 50% of the grains were grown on the subject property) as it believed the operation provided a substantial benefit to agriculture.

Conclusion:

The Commission maintains the belief that the granary operation provides a substantial benefit to agriculture and therefore supports the proposed grain storage building provided it is located, as shown, near the existing granary and accessory buildings.

2. Regarding the proposed secondary dwelling, the Commission will consider support for more than one residence on a parcel of land if the farm operation is 'significantly large' and if the additional residence is considered to be necessary for the operation of the farm. It was noted the request is to continue to use a one-room suite within an existing accessory building (barn) for farm labor as needed.

Conclusion:

The Commission believes that the amount of agricultural use on the farm is sufficient to justify the proposed secondary suite provided it continues to be for farm help only.

IT WAS

MOVED BY: Commissioner Johnson

SECONDED BY: Commissioner Miles

THAT the request to construct a grain storage building and authorization of an existing secondary suite for farm use be approved as proposed

AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution #27/2013